

REMARKS

The claims are 12 to 15.

The above amendment presents a new set of claims in which new main claim 12 is based on a combination of previous claims 1 to 8.

New claim 13 depends on claim 12 and is based on previous claim 9.

New claim 14 depends on claim 13 and is based on previous claim 10.

New claim 15 depends on claim 12 and is based on previous claim 11.

The significance of the above amendment will become further apparent from the remarks below.

With regard to Official Action paragraph 2, a new Information Disclosure Statement with copies of the cited references is enclosed.

With regard to the objection in Official Action paragraph 3, appropriate Markush terminology is employed.

With regard to the objection to claim 6 in Official Action paragraphs 4 to 6, the rejected terminology no longer appears.

With regard to the rejections in Official Action paragraphs 8 and 9, appropriate antecedent basis is present in new claim 13 which replaces previous claim 9.

With regard to the rejection in Official Action paragraph 11, the necessary steps are recited in claim 14 which replaces previous claim 10.

With regard to the rejection in Official Action paragraph 12, the rejected subject matter is no longer present in claim 15 which replaces previous claim 11.

Claims 1 to 11 have been rejected under 35 U.S.C. § 102(b) as being clearly anticipated by Jen et al. (U.S. 2001/0036573).

This rejection is respectfully traversed.

In newly presented claim 12, the material of substrate which constitutes the separator of the present invention is now directed to "aramid in the form of paper, non-woven fabric, fine porous film or a composite thereof".

The cited reference Jen et al. (U.S. 2001/0036573 A1), on the other hand, only mentions separator for secondary batteries which is made of carbon fabric non-woven webs and woven glass fabric, as indicated in the rejection (see paragraphs [0051] and [0055] of Jen et al.) and teaches or suggests nothing using a separator made of aramid.

It is evident therefore that the present invention is not anticipated by Jen et al.

Furthermore, Jen et al. teach or suggest nothing about sucking height which is defined in claim 12.

Also from this point, it would be evident that the present invention was not anticipated by Jen et al.

The rejection states " . . . the specific "sucking height" (or electrolyte retention) is deemed to be an inherent property or characteristic of the separator which is associated to the construction material thereof and its coating." As stated above, Jen et al. teach or suggest nothing about aramid as a material to constitute the separator. It is therefore unknown whether the separator of Jen et al. satisfies the sucking height as stipulated in claim 12 of the present application.

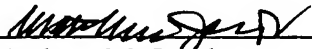
For the foregoing reasons, it is apparent that the rejection on prior art is untenable and should be withdrawn.

No further issues remaining, allowance of this application is respectfully requested.

If the Examiner has any comments or proposals for expediting prosecution, please contact undersigned at the telephone number below.

Respectfully submitted,

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